

No. 82-1701

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ALEXANDER L. STEVAS,
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1982

DAVID SCHULZ,

Appellant,

vs.

**ROCKWELL MANUFACTURING COMPANY,
ROCKWELL INTERNATIONAL CORPORATION,**

Appellee.

On Appeal From The Supreme Court Of Illinois

MOTION TO DISMISS APPEAL OR IN THE ALTERNATIVE TO AFFIRM JUDGMENT

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QUESTIONS PRESENTED

Does Illinois Supreme Court approval of the granting of a new trial based on apparent juror prejudice presented by affidavits raise a substantial federal question?

Was the federal question sought to be reviewed timely raised and expressly passed on by the Illinois courts?

Was the federal question sought to be reviewed properly raised and expressly passed on by the Illinois courts?

PARTIES APPEARING

David Schulz,

Plaintiff-Appellant,

Rockwell Manufacturing Company,
Rockwell International Corporation,*

Defendant-Appellee.

* For a listing of Domestic and Foreign Subsidiaries and Affiliates, see Appendix pages A-2 to A-7.

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IN THE
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DAVID SCHULZ,

Appellant,

vs.

**ROCKWELL MANUFACTURING COMPANY,
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Appellee.

On Appeal From The Supreme Court Of Illinois

**MOTION TO DISMISS APPEAL
OR IN THE ALTERNATIVE
TO AFFIRM JUDGMENT**

Pursuant to Rule 16, paragraphs 1(b) and 1(c) of the Revised Rules of this Court, appellee moves that this appeal be dismissed or, alternatively, that the judgment of the Supreme Court of Illinois be affirmed.

OPINIONS BELOW

Schulz v. Rockwell Manufacturing Company, 108 Ill. App. 3d 113, 438 N.E. 2d 1230 (1982) (Appendix pages A-1 through A-41 of Appellant's Jurisdictional Statement).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This matter involves:

a) Constitution of the United States:

Amendment XIV, Section 1 (set forth in Appendix page A-50 of Plaintiff's Jurisdictional Statement)

b) Constitution of the State of Illinois:

Article I, Section 2
(set forth in Appendix page A-1 of Defendant's motion)

c) Illinois Supreme Court Rule 341(e)(7):

(set forth in Appendix page A-1 of Defendant's motion)

d) Illinois Supreme Court Rule 321(c):

(set forth in Appendix page A-50 of Plaintiff's Jurisdictional Statement).

STATEMENT OF THE CASE

On November 5, 1980, a civil jury returned a \$400,000 verdict for a hand injury in a product liability case against the defendant, Rockwell. Within the 30 day post trial period, the defendant filed a post trial motion and two supplements which raised for consideration by the trial court juror misconduct. The defendant further

sought by various motions at the trial court level an evidentiary hearing and new trial due to the alleged prejudice of two jurors. In support of its motions, Rockwell filed affidavits showing the voir dire examination did not disclose that the husband of one of the jurors had filed an employment discrimination lawsuit against a Rockwell subsidiary and that another juror had been fired from his employment by a Rockwell subsidiary. Additionally, the affidavits stated that the former Rockwell employee during deliberations offered the opinion that the Plaintiff was entitled to \$2,000,000 in damages and would have difficulty finding other employment even though the Plaintiff was still performing the same job.

Although plaintiff filed no counter-affidavits in the trial court, the defense requests for a new trial and/or an evidentiary hearing regarding juror misconduct were denied. On appeal, the plaintiff claimed that the record was inadequate because it was not prepared pursuant to Illinois Supreme Court Rule 323(c).

The Appellate Court found that the Illinois Supreme Court had reviewed allegations of juror prejudice without recourse to either a verbatim transcript or a Rule 323(c) bystanders report on other occasions and the same Appellate Court had previously recognized that a Rule 323(c) bystanders record was not the exclusive method for preserving such an issue for review. The Appellate Court also ruled that the denial by the trial court of the defendant's motions for an evidentiary hearing precluded the defendant from complying with Rule 323(c) and that therefore "... any deficiency in this record is attributable to the trial court's refusal to grant discovery or hold further hearings." (Appellate Court Opinion, Plaintiff's Appendix, p. A-12.)

The Illinois Appellate Court opinion is the only written opinion because the plaintiff's other Appellate and Supreme Court petitions and motions were denied by order without opinion. The petitions and motions in the order of filing after the Appellate opinion are as follows:

1. Petition to Appellate Court for Rehearing or in the Alternative Certificate of Importance;
2. Petition to Illinois Supreme Court for Leave to File Petition for Writ of Mandamus;
3. Petition to Illinois Supreme Court for Appeal as a Matter of Right or in the Alternative Leave to Appeal;
4. Motion to Illinois Supreme Court to Reconsider the Denial of Plaintiff's Petition for Leave to Appeal or in the Alternative Motion to Grant a Rehearing on Plaintiff's Petition for Leave to Appeal;
5. Motion to Illinois Supreme Court to Rule on Appeal as a Matter of Right.

Plaintiff's first opportunity to raise a federal question was in his Appellate Court Petition for Rehearing. That petition and the supporting memorandum contained no reference to the United States Constitution. When the words due process were used, they apparently referred to Article I, Section 2 of the Illinois Constitution because no federal cases were cited and there was no mention of equal protection.

Plaintiff's second opportunity to raise a federal question, the petition for leave to petition for writ of mandamus, mentioned due process without clarification as to whether federal or state due process was involved and contained no federal citations.

In the third opportunity to raise a federal question, the petition for leave to appeal, or appeal as a matter of right, plaintiff did not cite the Constitution of the United States or any federal due process cases.

Plaintiff's fourth opportunity to raise federal due process, namely his Illinois Supreme Court petition for rehearing, failed to even mention due process thus apparently abandoning his state due process argument.

Finally, in plaintiff's last chance to raise a federal question (his motion for the Illinois Supreme Court to rule on his claim to appeal as a matter of right and memorandum in support thereof) he mentioned his rights under the Constitution of the State of Illinois and casually stated: "... and provisions of the 14th Amendment of the Constitution of the United States. To deny Plaintiff that Appeal is a further denial of due process and equal protection." (Plaintiff's Motion to Require Illinois Supreme Court to Rule on Appeal as a Matter of Right). Citations to federal cases interpreting due process and equal protection were again absent from plaintiff's motion.

SUMMARY OF ARGUMENT

Defendant moves this Court to dismiss or affirm this appeal for the reason that it fails to raise a substantial federal question. Plaintiff's claim of retroactive application of a new interpretation of an Illinois Supreme Court Rule is incorrect. Prior Illinois decisions consistent with the decision in this case render Plaintiff's denial of due process argument superfluous.

Defendant also urges dismissal or affirmation on the basis that the federal question sought to be reviewed was not timely raised and was not expressly passed on by the Illinois courts. Plaintiff's first opportunity to raise a federal question occurred when he filed a motion for rehearing in the Illinois Appellate Court. His second and third opportunities arose when he requested a writ of mandamus from the Illinois Supreme Court and filed a petition for leave to appeal. No references to the United States Constitution or citation of federal cases were made in those pleadings or the supporting briefs. Not until all the above motions were denied did the plaintiff cite the United States Constitution and then without any federal authority. Plaintiff's belated raising of a federal question cannot support this Court's jurisdiction.

In the alternative, defendant moves the Court to dismiss or affirm the judgment sought to be reviewed on the grounds that the Court lacks jurisdiction because the federal question was not properly raised and the judgment rests on independent state grounds. Waiver of due process in the Illinois Courts is sound basis for the judgment of the Illinois Supreme Court. Under Illinois rules, a mere assertion without sufficient authority and argument does not preserve an issue on review. Plaintiff's failure to raise the United States Constitutional issue initially and then belatedly, without reference to any federal cases is a fatally improper method to raise, argue and preserve a federal question under both federal and Illinois law.

ARGUMENT

I.

THE ILLINOIS SUPREME COURT APPROVAL OF THE GRANTING OF A NEW TRIAL BASED ON APPARENT JUROR PREJUDICE PRESENTED BY AFFIDAVITS DOES NOT RAISE A SUBSTANTIAL FEDERAL QUESTION.

The appellant raises no federal question or substantial federal question. The Plaintiff's argument that the decision of the Illinois Supreme Court rejecting his petition for leave to appeal and thus approving the Illinois Second District Appellate opinion, *amended* Illinois Supreme Court procedural Rule 323(c) *instanter* is *incorrect*. (Illinois Revised Statutes, 1981, Chapter 110A, Rule 323(c).) On two previous occasions the Illinois Supreme Court had reviewed allegations of prejudicially false juror testimony given during voir dire without recourse to either a verbatim transcript or a Rule 323(c) bystander's report. *Pekelder v. Edgewater Automotive Co., Inc.*, 68 Ill.2d 136, 368 N.E.2d 900 (1977), *Department of Public Works v. Christensen*, 25 Ill.2d 273, 184 N.E.2d 884 (1962). The Second District Appellate Court, prior to this case, had also interpreted Rule 323(c) as not being the exclusive means to raise an issue for review absent a report of proceedings of the voir dire or jury deliberations. *Hehir v. Bowers*, 85 Ill. App. 3d 625, 407 N.E.2d 149 (2nd Dist., 1980).

In *Pekelder v. Edgewater Automotive Co., Inc.*, 68 Ill.2d 136, 368 N.E.2d 900 (1977), the Illinois Supreme Court affirmed a trial court order granting a new trial where the trial court had relied on its recollection that it had asked each prospective juror whether he or she had any pending lawsuits and the effect of a juror's tes-

timony at a post trial hearing that he had been a party to a lawsuit at the time of the *Pekelder* trial. That precedent clearly shows that the Illinois Supreme Court did not consider Rule 323(c) to be the exclusive method to raise juror impropriety to the trial court absent a verbatim transcript.

Rule 323(c) and its predecessor (Rule 336.1(c)) were a codification of the common law requirements which took effect in 1965. Illinois Revised Statute 1965, Chapter 110, Paragraph 101.361(1)(C). Therefore, the cases preceding Rule 323(c) have precedential value (see comments of the Illinois Supreme Court Rules committee to Rule 36-1 (53 Ill. Bar J. 18, 1964).

In 1962 the Illinois Supreme Court in the case of *Department of Public Works v. Christensen*, 25 Ill.2d 273, 184 N.E.2d 884 (1962), reviewed a claim of juror impropriety without a verbatim transcript. In that case the trial judge, while stating that he had no recollection of the contents of voir dire, had accepted counsel's statement that each juror had been asked whether he had any dealings with the State of Illinois. Although *Christensen* affirmed the trial court's denial of a motion for new trial, the Court accepted the record which included statements of counsel as to voir dire in lieu of a transcript or bystanders report. The *Pekelder*, *supra*, and *Christensen*, *supra*, cases show that the Illinois Supreme Court in approving the Appellate Court decision *did not amend* Rule 323(c) as claimed by the Plaintiff, *but followed Illinois Supreme Court precedent*.

Plaintiff's attorney was familiar with the requirements of Rule 323(c) as he was the attorney of record for the plaintiff in the case of *Hehir v. Bowers*, 85 Ill. App.3d 625, 407 N.E.2d 149 (1980). That case centered on statements by a juror in voir dire in the absence

of a verbatim transcript. The Appellate Court in *Hehir* found that it could not determine whether the juror in question had lied in the absence of a transcription or "any substitute for a report of proceedings". *Hehir v. Bowers*, 85 Ill.App.3d 625, 629, 407 N.E.2d 149, 152. The *Hehir* opinion makes no reference to Rule 323(c) and thus implicitly admits that there are other methods of preserving for review the voir dire examination.

In this case the defendant filed an affidavit of a juror who recalled the voir dire testimony of Juror Benning that he did not have contacts with Rockwell as well as affidavits substantiating the interested status of jurors Bennings and Bowers. The defendant's affidavits were the only documents regarding juror prejudice submitted to the trial court and to the Appellate Court prior to its decision.

The Plaintiff's brief cites Judge Van Duesen's Appellate Court dissenting opinion which does not discuss or argue the due process rights of the plaintiff. Judge Van Duesen disagreed with the majority opinion that the affidavits showed apparent prejudice, and that the trial court abused its discretion in denying the defendant's post trial motions for new trial and discovery necessary for the defendant to compile a bystander's record. The Illinois Supreme Court denied review of this case because the record was presented to the Illinois Appellate Court in compliance with the procedures set out in the *Pekelder*, *Christensen* and *Hehir* cases. *Pekelder v. Edgewater Automotive Co., Inc.*, 68 Ill.2d 136, 368 N.E.2d 900 (1977), *Department of Public Works v. Christensen*, 25 Ill.2d 273, 184 N.E.2d 884 (1962), *Hehir v. Bowers*, 85 Ill.App.3d 625, 407 N.E.2d 149 (2nd Dist. 1980). The Plaintiff's contention that the Appellate Court amended Rule 323(c) instantter and retroactively ignores the *Pekelder*, *Christensen* and *Hehir* precedents. This case

does not involve a federal question because the Plaintiff's cornerstone premise that Illinois Supreme Court Rule 323(c) was amended retroactively to be non-exclusive is incorrect. Therefore, United States Supreme Court jurisdiction is absent.

II.

THE SUPREME COURT LACKS JURISDICTION TO HEAR THIS APPEAL BECAUSE THE FEDERAL QUESTION SOUGHT TO BE REVIEWED WAS NOT TIMELY RAISED AND WAS NOT EXPRESSLY PASSED ON BY THE ILLINOIS COURTS.

The rule that a federal question must be raised at the earliest opportunity has long been recognized by the Supreme Court. The plaintiff failed to "... make the required 'explicit and timely insistence in the state court that a state statute, as applied, is repugnant to the federal constitution'". *Rohr Aircraft Corp. v. County of San Diego*, 362 U.S. 628 (1960).

The federal question must be fairly raised, presented, preserved and passed upon in the state courts. *Picard v. Connor*, 404 U.S. 270 (1971), *Hill v. California*, 401 U.S. 797 (1971), *Stanley v. Illinois*, 405 U.S. 645 (1972).

The fact that plaintiff did not present a federal question to any state court until after the petition for leave to appeal to the Illinois Supreme Court was denied is fatal to the jurisdiction of this Court.

Under Illinois law, after an adverse ruling in the Appellate Court of Illinois, plaintiff had the right to immediately ask for leave to appeal to the Illinois Supreme Court or he could first ask for a rehearing in the Appellate Court which he did. Under Illinois Appellate procedure the plaintiff waives any issue which could have been raised in a lower court but is not so

raised. Since plaintiff failed to raise a federal question in the appellate court when he elected to file for rehearing, the Illinois Supreme Court did not need to address any federal due process issue because it had been waived. *Snow v. Dixon*, 66 Ill.2d 443, 362 N.E.2d 1052 (1977), cert. denied 434 U.S. 939 (1977), *Clore v. Fredman*, 59 Ill.2d 20, 319 N.E.2d 18 (1974).

Because the Illinois Constitution contains a due process requirement, the mere mention of "due process" without reference to the United States Constitution is insufficient to raise and preserve a federal question. *Webb v. Webb*, 451 U.S. 493 (1981). Inadvertence of the part of counsel for the plaintiff in failing to timely cite the United States Constitution cannot be relied upon for a jurisdictional ground. *Corkran Oil & D. Co. v. Arnaudet*, 199 U.S. 182 (1905).

Denial without hearing of a petition for rehearing asserting for the first time a federal question does not support the jurisdiction of the Federal Supreme Court on appeal where the petition was denied on the tardily raised federal question. *McGarrity v. Delaware River Bridge Commission*, 292 U.S. 19 (1934), *St. Louis & S. F. R. Co. v. Shepherd*, 240 U.S. 240 (1915), *Consolidated Turnpike Co. v. Norfolk & O. V. R. Co.*, 228 U.S. 326 (1912), *Missouri Ex Rel. Missouri Ins. Co. v. Gehner*, 281 U.S. 313 (1929).

Plaintiff anticipated this problem on page 29 of his Jurisdictional Statement when he cited a case referring to an exception to the above rule. *Brinkerhoff-Faris Trust and Savings Co. v. Hill*, 281 U.S. 673 (1930), see also, *Missouri Ex Rel. Missouri Ins. Co. v. Gehner*, *supra*. Plaintiff's reliance on *Brinkerhoff-Faris* is totally misplaced. In the *Brinkerhoff-Faris* case, unlike the case at bar, the State Supreme Court rendered an opin-

ion which created the federal question. In *Brinkeroff-Faris* the raising of a federal question in a motion for rehearing was timely because said motion was the petitioner's first opportunity. Plaintiff herein not only failed to raise, preserve and argue a federal question at his first opportunity (when he petitioned the Illinois Appellate Court for rehearing) but he also failed to raise, preserve or argue a federal question at his second opportunity (mandamus petition to the Illinois Supreme Court), third opportunity (petition for leave to appeal or appeal as a matter of right), and fourth opportunity when he sought rehearing in the Illinois Supreme Court (motion to reconsider or in the alternative for rehearing). It was not until the above motions were denied that the plaintiff referred to the United States Constitution. Even then federal due process was only mentioned in the Motion to Require the Illinois Supreme Court to Rule on the Appeal as a Matter of Right (which motion was the plaintiff's fifth pleading following the Appellate Court opinion). Then the plaintiff's motion did not include citations to any federal due process or equal protection cases. Plaintiff cannot now contend that he raised a federal question at his first opportunity.

III.

THE SUPREME COURT LACKS JURISDICTION TO HEAR THIS APPEAL BECAUSE THE FEDERAL QUESTION SOUGHT TO BE REVIEWED WAS NOT PROPERLY RAISED AND WAS NOT EXPRESSLY PASSED ON BY THE ILLINOIS COURTS.

The Illinois Supreme Court orders denying plaintiff's request for leave to appeal and denying his other motions and petitions were correctly founded upon independent and adequate state grounds. The Supreme Court has repeatedly stated that judgments in state courts

which can be based on state grounds cannot be the basis for an appeal to the Supreme Court. *Zacchini v. Scripps-Howard Broadcasting Co.*, 433 U.S. 562 (1977), *Republican National Committee v. Burton*, 455 U.S. 1301 (1982).

Illinois Supreme Court Rule 341(e)(7), sets forth the proper procedure to raise a question on appeal. Illinois Revised Statutes, 1981, Chapter 110A, Section 341(e)(7). Plaintiff's attempt to raise a federal question in the Illinois Supreme Court violates the Rule 341(e)(7) and the Illinois cases which interpret it.

Plaintiff contends that he properly raised the issue of the 14th Amendment to the United States Constitution in state court even though he never cited a single federal court opinion in support of his argument. Illinois courts have consistently held that a reviewing court is entitled to have the issues clearly defined with pertinent authority cited and that a party may not delegate to the reviewing court the burden of argument and research. Under such circumstances, the reviewing court will deem waived those issues which have not been properly or sufficiently presented. *Village of Roxana v. Costanzo*, 41 Ill.2d 423, 243 N.E.2d 242 (1968), *Old Salem Chautaugua Assn. v. Illinois District Council*, 13 Ill.2d 258, 148 N.E.2d 777 (1958), cert. denied 361 U.S. 864, *Potter v. Judge*, 112 Ill.App.3d 81, 444 N.E.2d 821 (1983), *Hartlett v. Dahm*, 94 Ill.App.3d 1, 418 N.E.2d 44 (1981), *Dorsey v. Ryan*, 110 Ill.App.3d 577, 442 N.E.2d 689 (1982), *Williamson v. Opsahl*, 92 Ill.App.3d 1087, 416 N.E.2d 783 (1981).

Plaintiff waited until his motion for leave to appeal to the Illinois Supreme Court had been denied before raising the United States Constitution, and even then he did not cite one federal case in support of his contention. Several times Plaintiff did cite two Illinois

cases when he raised due process as an issue. *Hogan v. Bleeker*, 29 Ill.2d 181, 193 N.E.2d 844 (1963), *Golden v. Holaday*, 59 Ill.App.3d 866, 376 N.E.2d 92 (1978). In *Hogan* the reference to the U.S. Constitution was dicta because the dispositive issue was an interpretation of a state statute. In *Golden* the United States Constitution was never mentioned.

The Plaintiff's failure to argue or cite authority in support of a federal question waived the issue pursuant to Illinois Supreme Court Rule 341(e)(7). The waiver constituted an adequate and independent state law basis for the Illinois Court rulings, and therefore, the Supreme Court lacks jurisdiction.

CONCLUSION

No federal question exists herein because the Illinois Supreme Court did not amend its rule by following its own precedent. The claim of federal question was not timely or properly raised and the state decision rests on independent state grounds. Therefore, the appellee moves to dismiss this appeal or in the alternative to affirm the judgment of the Supreme Court of Illinois.

Respectfully submitted,

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APPENDIX

CONSTITUTIONAL PROVISIONS AND STATUTES

Illinois Constitution, Article I, Section 2:

"No person shall be deprived of life, liberty or property without due process of law nor be denied the equal protection of the laws."

Illinois Revised Statutes, 1981, Chapter 110A, Section 341(e)(7) (Supreme Court Rule 341(e)(7)):

(e) "The appellant's brief shall contain the following parts in the order named:

. . .

(7) Argument, which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on. Evidence shall not be copied at length, but reference shall be made to the pages of the record on appeal or abstract, if any, where evidence may be found. Citation of numerous authorities in support of the same point is not favored. Points not argued are waived and shall not be raised in the reply brief, in oral argument, or on a petition for rehearing."

**ROCKWELL INTERNATIONAL
DOMESTIC AND FOREIGN
SUBSIDIARIES AND AFFILIATES OF
ROCKWELL INTERNATIONAL CORPORATION**

Parent Company

Rockwell International Corporation
600 Grand Street
Pittsburgh, PA

Domestic Subsidiaries

Amforge, Inc.
% Rockwell International Corporation
Atomics International, Inc.
% Rockwell International Corporation
Autonetics, Inc.
% Rockwell International Corporation
Collins Radio Company
1200 North Alma Road
Richardson, Texas
Collins Radio Constructors, Inc.
1200 North Alma Road
Richardson, Texas
Collins International Service Company
1200 North Alma Road
Richardson, Texas
Collins Systems International, Inc.
1200 North Alma Road
Richardson, Texas
Draper Americas, Inc.
25 Hopedale Street
Hopedale, Massachusetts
Flexible, Inc.
% Rockwell International Corporation

Domestic Subsidiaries (continued)

Hills-McCanna Company
 400 Maple Avenue
 Carpentersville, Illinois 60110

Maine Electronics, Inc.
 % Rockwell International Corporation

MGD Graphic Systems Americas Company
 3100 South Central Avenue
 Chicago, Illinois

MGD Graphic Systems, N.A., Ltd.
 3100 South Central Avenue
 Chicago, Illinois

McEvoy, Inc.
 % Rockwell International Corporation

Narland Corporation
 % Rockwell International Corporation

North American Aviation, Inc.
 % Rockwell International Corporation

North American Rockwell Corporation (Delaware)
 % Rockwell International Corporation

Nuad Corporation
 % Rockwell International Corporation

Rockwell-Collins International, Inc.
 1200 North Alma Road
 Richardson, Texas

Recticon Corporation
 % Rockwell International Corporation

Rocketdyne Corporation
 % Rockwell International Corporation

Rocketdyne, Inc.
 % Rockwell International Corporation

Rockwell Aerospace & Electronics, Inc.
 % Rockwell International Corporation

Rockwell Graphic Systems, Inc.
 % Rockwell International Corporation

Domestic Subsidiaries (continued)

Rockwell International Corporation (Nevada)
% Rockwell International Corporation
Rockwell International Credit Corporation
% Rockwell International Corporation
Rockwell International Finance Corporation
% Rockwell International Corporation
Rockwell International Holdings Company
% Rockwell International Corporation
Rockwell International Manufacturing Pte. Ltd.
Rockwell International Operations, Inc.
% Rockwell International Corporation
Rockwell International Overseas Corporation
% Rockwell International Corporation
Rockwell International Systems, Inc.
% Rockwell International Corporation
Rockwell International Trading Company
% Rockwell International Corporation
Rockwell Manufacturing Company
% Rockwell International Corporation
Rockwell-Rimoldi of America, Inc.
% Rockwell International Corporation
Rockwell-Standard Corporation
% Rockwell International Corporation
Rockwell Valves International, Inc.
% Rockwell International Corporation
Smith-Blair, Inc.
% Rockwell International Corporation
Standard Property Land Company
% Rockwell International Corporation
Wescom, Inc.
% Rockwell International Corporation
Wescom Leasing Corporation
% Rockwell International Corporation

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**Foreign Affiliates
(50% or less Ownership by RI)**

Audco-Rockwell Italiana S.R.L. (Italy)
Automotive Axles Limited (India)
Braseixos S/A (Brazil)
Brasprenas S/A (Brazil)
Componentes Automotrices Rockwell-Standard y Com-
pania Limitada (Chile)
Dina Rockwell Nacional S.A. (Mexico)
Ikegai-Goss Co. Ltd. (Japan)
Industrias Erlo, S.A. de C.V. (Mexico)
Industrias Teluq, S.A. (Spain)
Metalurgica Carabobo, S.A. "Metalcar" (Venezuela)
Moligal Produtora de Assentos de Automovel, Limitada
(Portugal)
PHI Magnetronics Limited (England)
Rockwell-Standard de Venezuela C.A. (Venezuela)
R.O.R. - Severn S.A. (France)
Rubery Owen-Rockwell (Europa) B.V. (The Netherlands)
Rubery Owen-Rockwell (Manufacturing) Limited
(England)
Rubery Owen-Rockwell Limited (England)
Ruedas de Venezuela S.A. (Venezuela)
Saseb Ag Eschen (Liechtenstein)
SCI Aux Pres Renard (France)
S.C.I. Volta (France)
Serrature Auto Ferroviarie Edili SpA. (Italy)
Serrature Auto Meridionali Stampi Attrezzature SpA.
(Italy)
Setec S.p.A. (Italy)
Tamet Compania Anonima (Venezuela)
USHA Telehoist, Limited (India)

**Foreign Subsidiaries
(51% or more Ownership by RI)**

A.J. Sage and Co., Pty. Limited (Australia)
 Arpel, S.A. (France)
 Autonetica, S.A. (Mexico)
 Camden Investment Trust, Limited (England)
 Collins Radio Company of Japan, Ltd. (Japan)
 Compagnie Industrielle de Mecanismes, S.A. (France)
 Constantine Insurance Company, Ltd. (Bermuda)
 Electronic Fabriek N.V. (The Netherlands Antilles)
 Europlastique S.A. (France)
 Goss Printing Press International S.A. (Panama)
 MGD Graphic Systems, Inc. (Switzerland)
 M.P. O'Rourke Pty., Limited (Australia)
 Rockwell (Bermuda) Ltd. (Bermuda)
 Rockwell Cerdans, S.A. (Spain)
 Rockwell-Collins (Australasia) Pty. Ltd. (Australia)
 Rockwell-Collins (Far East) Limited (Hong Kong)
 Rockwell-Collins (U.K.) Limited (England)
 Rockwell-Collins de Mexico, S.A. (Mexico)
 Rockwell-Collins de Nogales, S.A. (Mexico)
 Rockwell-Collins France S.A. (France)
 Rockwell-Collins G.m.b.H. (Fed. Rep. of Germany)
 Rockwell-Collins Italiana S.p.A. (Italy)
 Rockwell do Brasil Industria e Comercio Ltda. (Brazil)
 Rockwell Golde G.m.b.H. (Fed. Rep. of Germany)
 Rockwell Golde Italiana S.p.A. (Italy)
 Rockwell Graphic Systems Limited (England)
 Rockwell International G.m.b.H. (Germany)
 Rockwell International Limited (England)
 Rockwell International of Canada Ltd. (Canada)
 Rockwell International Pension Trustees Limited
 (England)
 Rockwell International S.A. (France)
 Rockwell International S.A. (Switzerland)
 Rockwell International Services Limited (England)
 Rockwell International Singapore Pte. Ltd. (Singapore)
 Rockwell International Taiwan Company, Ltd. (China)
 Rockwell-Maudslay Limited (England)

Foreign Subsidiaries (continued)

Rockwell Mexicana, S.A. (Mexico)
 Rockwell-Rimoldi A.G. (Switzerland)
 Rockwell-Rimoldi da Amazonia, Industria e Comercio Limitada (Brazil)
 Rockwell Rimoldi Espanola S.A. (Spain)
 Rockwell Rimoldi France S.A. (France)
 Rockwell-Rimoldi G.m.b.H. (Germany)
 Rockwell-Rimoldi (Great Britain) Limited (England)
 Rockwell-Rimoldi (Ireland) Ltd. (Ireland)
 Rockwell-Rimoldi S.p.A. (Italy)
 Rockwell Standard of Australia Limited (Australia)
 Rockwell Systemes Graphiques, S.A. (France)
 Rockwell Thompson Limited (England)
 Rockwell U.K. Limited (England)
 Rockwell Valves Limited (England)
 Rockwell Valves S.A. (France)
 Rockwell Walther Australia Pty. Ltd. (Australia)
 Sapart, A.G. (Liechtenstein)
 S.C.I. de Sully sur Loire (France)
 Silvant Plastics Limited (England)
 Societe d'Execution Rationnelle de Mecanique Automobile S.a.r.L. (France)
 Sumlock Anita Services Limited (England)
 Taiwan Axle Company Limited
 Truflo G.m.b.H. (Germany)
 Tyseley Estates Limited (England)
 W. B. Bumpers Limited (England)
 Wescom (U.K.) Limited (United Kingdom)
 Wilmot Breeden Australia Nominees Pty. Ltd. (Australia)
 Wilmot Breeden (Australia) Pty. Limited (Australia)
 Wilmot Breeden Continental, S.A. (Switzerland)
 Wilmot Breeden Employees Trust Limited (England)
 Wilmot Breeden Group Properties Limited (England)
 Wilmot Breeden (Holdings) Limited (England)
 Wilmot Breeden Limited (England)
 Wilmot Breeden (Pressings) Limited (England)
